

2025 Regular Session

HOUSE BILL NO. 143

BY REPRESENTATIVE MENA

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

BAIL: Provides relative to notice of warrant for arrest

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Article 334, relative to bail; to provide
3 relative to notice of warrant for arrest; to provide for additional recipients of a notice
4 of warrant for arrest; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Code of Criminal Procedure Article 334 is hereby amended and reenacted
7 to read as follows:

8 Art. 334. Notice of warrant ~~of~~ for arrest

9 After a warrant for arrest is issued, the clerk of court shall, within sixty days
10 of the defendant's failure to appear, send a notice of warrant for arrest to the
11 prosecuting attorney. The notice shall also be sent by United States mail or
12 electronic means to the defendant, the bail agent or bondsman, if any, and the
13 personal surety. Notice shall be sent by electronic means or by certified mail return
14 receipt requested to the commercial surety. When the agent or bondsman has filed
15 a "Notice of Electronic Notification Opt In" form with the clerk of court, the notice
16 of warrant for arrest shall be sent to the agent or bondsman by electronic means. All
17 notices shall be sent to the addresses provided pursuant to Article 329 or an address
18 registered with the ~~Louisiana~~ Department of Insurance. The notice to the commercial
19 surety shall include the power of attorney number used to execute the bail
20 undertaking. Failure to include the power of attorney number shall not affect the

1 validity or enforcement of a resulting judgment. After sending the notice of warrant
2 for arrest, the clerk of court shall execute a certificate that notice was sent and place
3 the certificate in the record. Failure to send notice to the commercial surety and the
4 agent or bondsman who has opted into electronic notification within sixty days of the
5 defendant's failure to appear shall release the surety of all obligations under the bail
6 undertaking.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 143 Engrossed

2025 Regular Session

Mena

Abstract: Provides relative to notice of warrant for arrest.

Present law (C.Cr.P. Art. 334) provides for notice of warrant for arrest.

Proposed law retains present law generally.

Present law provides that after a warrant for arrest is issued, the clerk of court shall, within 60 days, send a notice of warrant for arrest to the prosecuting attorney.

Proposed law amends present law to provide that the clerk of court shall send a notice of warrant for arrest to the prosecuting attorney within 60 days of the defendant's failure to appear.

Proposed law provides that the notice of warrant for arrest shall be sent to the agent or bondsman by electronic means when the agent or bondsman has filed a "Notice of Electronic Notification Opt In" form with the clerk of court.

Present law provides that failure to send notice to the commercial surety within 60 days shall release the surety of all obligations under the bail undertaking.

Proposed law amends present law to provide that failure to send notice to the commercial surety and the agent or bondsman who has opted into electronic notification within 60 days of the defendant's failure to appear shall release the surety of all obligations under the bail undertaking.

(Amends C.Cr.P. Art. 334)